

STATE OF WISCONSIN
DEPARTMENT OF HEALTH AND FAMILY SERVICES
DIVISION OF MANAGEMENT AND TECHNOLOGY
BUREAU OF FISCAL SERVICES

ACCOUNTING POLICY

TOPIC: Section 7 - Payroll 4.0	EFFECTIVE DATE: 3/23/83
TITLE: Employment by More than One State Agency	REVISION DATE: 01/16/01
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BACKGROUND

Occasionally, a full-time employee of a state agency will obtain part-time employment with another state agency or authority. This employment is allowable within the constraints imposed by s. 16.417 (2) of the Wisconsin Statutes as follows:

"No individual who is employed or retained in a full-time position or capacity with an agency or authority may hold any other position or be retained in any other capacity with an agency or authority from which the individual receives, directly or indirectly, more than \$12,000 from the agency or authority as compensation for the individual's services during the same year. No agency or authority may employ any individual or enter into any contract in violation of this subsection."

Wisconsin Act 362, effective May 3, 1994, increased to \$12,000 from \$5,000 the amount that may be received from another agency. Section 16.417 (2) requires that the Department annually check that no individual is in violation of this provision. Any individual in violation of this subsection shall be ordered to forfeit that portion of the economic gain realized.

POLICY

Every employing unit (division or office) within the department will take reasonable precautions to ensure that no employee of the unit is in violation of s. 16.417 (2), Statutes.

There is a need to identify part-time employees, including doctors or other consultants, who may be employed in other state positions (directly or indirectly) in order to provide an early alert to the employing unit to avoid overpayment of salary.

PROCEDURES

1. Employing units will continue to require completion of Form DMT-2164 (Report/Request for Advisory Opinion On Outside Employment or Acceptance

Of Fees Or Honoraria) by employees who intend to obtain outside employment or employment by another state agency.

2. When a DHFS employee submits a Form DMT-2164, the employee will be informed of the provisions of s. 16.417 (2) and the need to restrict earnings from another state agency or authority to \$12,000 per year. The limitation on dual employment includes direct or indirect compensation for services.
3. All persons who accept part-time employment with DHFS that may result in remuneration in excess of \$12,000 per year will be informed of the provisions of s. 16.417 (2) and asked if they are employed by another state agency or authority. If it appears that a violation of those provisions could occur, remuneration to the employee involved will be limited to an amount less than \$12,000 per year.
4. Division administrators will be responsible for ensuring compliance with these procedures within their divisions.

REFERENCES

Wisconsin Statutes s. 16.417 (2)
DHFS Employee Handbook, Code of Ethics Section on Outside Employment

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